

Receipt date: 03/24/2006

10/573438  
10573438-2AU. 0634  
IAP9 Rec'd PCT/PTO 24 MAR 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gerd LUEDKE  
Serial No.: Not Yet Assigned  
Filed: Herewith  
For: NUCLEIC ACID DETECTION  
Art Unit: Not Yet Assigned  
Examiner: Not Yet Assigned  
Confirmation No.: Not Yet Assigned  
Customer No.: 27623  
Attorney Docket No.: 20030969-02

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with applicant's duty of disclosure under 37 C.F.R. §1.56, please find attached hereto form PTO-1449 listing information which may be material to the patentability of this application, filed concurrently herewith. This Information Disclosure Statement is being filed:

\_\_\_ Within three (3) months of the filing date of the national application;

**XXX** Within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;

\_\_\_ Before the mailing date of a first Office Action on the merits;

\_\_\_ After the filing date or date of first Office Action, but before the mailing date of a final action under 37 C.F.R. §1.113, provided that this occurs prior to the issuance of a Notice of Allowance and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p);

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /EW/

- \_\_\_\_\_ After the filing date or date of first Office Action, but before the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, provided that this occurs prior to the final action and provided that this I.D.S. is accompanied by either a certification as specified in 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p);
- \_\_\_\_\_ After the mailing date of a final action under 37 C.F.R. §1.113, provided that this occurs prior to the issuance of a Notice of Allowance and provided that this I.D.S. is accompanied by a certification as specified in 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p); and
- \_\_\_\_\_ After the mailing date of a Notice of Allowance under 37 C.F.R. §1.311, provided that this occurs prior to or subsequent to the payment of the Issue Fee and provided that this I.D.S. is accompanied by a certification as specified in 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p).
- \_\_\_\_\_ Filing with RCE Under 37 CFR 1.114, thus no fee is required.

37 C.F.R. 1.98 does not require a copy of U.S. patents or published U.S. patent applications to be included with an information disclosure statement. Accordingly, Applicant is not including a copy of any U.S. patent or published U.S. patent application.

We are also enclosing copies of the non-US publications listed on the attached PTO-1449. Copies of the following patents and articles are not enclosed because they are not in the possession of the undersigned: KOLESEAR et al.: "Direct quantification of HIV-1 RNA by capillary electrophoresis with laser-induced fluorescence" and BIANCHI et al.: "Capillary electrophoresis: detection of hybridization between synthetic oligonucleotides and HIV-1 genomic DNA amplified by polymerase-chain reaction".

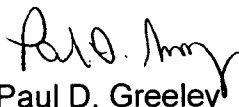
It should be understood that attention has been called to the references that have been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed references and to make the usual careful independent search for other prior art that may be pertinent.

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Respectfully submitted,



March 24, 2006

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FORM PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)	Docket Number (Optional)	Application Number
	20030969-02	10/573438
	Applicant	
	Gerd LUEDKE	
Filing Date	Group Art Unit	
Herewith	Not Yet Assigned	

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/EW/	6,013,442	1/11/00	KOLESAR et al.	435	6	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
/EW/	WO 01/57258	8/9/01	PCT				
	1 186 673	3/13/02	Europe				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	KOLESAR et al. "Direct quantification of HIV-1 RNA by capillary electrophoresis with laser-induced fluorescence". Journal of Chromatography B: Biomedical Sciences & Applications, Elsevier Science Publishers, NL, vol. 697, 12 Sept 1997, pps. 189-194.
	BIANCHI et al. "Capillary electrophoresis: detection of hybridization between synthetic oligonucleotides and HIV-1 genomic DNA amplified by polymerase-chain reaction". Journal of Virological Methods, Amsterdam, NL, vol. 47, no. 3, 1994, pps. 321-329.

EXAMINER	/Ethan Whisenant/	DATE CONSIDERED	01/30/2010
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /EW/